



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: May 6, 2008

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Purchase Of Property At 434 And 436 De La Vina Street For The Haley/De La Vina Street Bridge Replacement Project

RECOMMENDATION:

That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Accepting Real Property Located at 434 and 436 De La Vina Street, and Authorizing the Public Works Director to Execute an Agreement for Acquisition of Real Property with Escrow Instructions and all Related Documents that may be Required, Including Possibly Among Others, any Interim Rental Agreements, Subject to Review and Approval of the Form by the City Attorney, all Relating to the Proposed Haley and De La Vina Street Bridge Replacement Project, and Consenting to the Recordation of the Related Grant Deed in the Official Records, County of Santa Barbara.

DISCUSSION:

The properties and easements identified below, and shown on the Attachment, are required for the proposed Haley/De La Vina Street Bridge Replacement Project (Project) and must be purchased by the City. This includes the property at 434 and 436 De La Vina Street.

The City has provided written offers to all known owners for the purchase of the necessary properties and easements based on appraisals approved by the State of California Department of Transportation (Caltrans).

The City's acquisitions are on the critical path for the Project schedule and must be obtained without delay to enable the Project to begin as scheduled in Spring 2009. The City has successfully acquired the property at 136 West Haley Street, and purchased temporary construction easements for the Project at 119 and 132 West Haley Street and 507 Brinkerhoff Avenue.

The necessary agreement with escrow instructions required for the City's purchase of the property at 434 and 436 De La Vina Street has been executed and delivered to City staff by the owners, Michael R. Smith, Craig A. Lieberman, Mary P. Yackley, Joshua B. Kane and Elda Bejar. The agreement provides for the City's purchase of the property for consideration in the amount of \$825,000 plus applicable closing costs.

The proposed Resolution will allow the Public Works Director to execute the purchase agreement with the affected owners. It will also (subject to approval by the City Attorney as to form) allow the Public Works Director to execute any other documents that may be required to accomplish the City's acquisition of the property for the Project.

The property at 434 and 436 De La Vina Street is presently occupied by tenants. The occupant of the rental unit at 434 De La Vina Street is eligible for relocation assistance benefits pursuant to federal, state and local guidelines adopted for fair treatment of occupants of properties displaced by public projects. The students who occupy the other rental unit at 436 De La Vina Street are not eligible for such relocation assistance benefits because they plan to vacate the premises at the end of their current school term; tentatively May 31, 2008. After the proposed close of escrow, which is being expedited pursuant to the proposed agreement with the owners, and in order to provide for such tenancies that might carry over until the units have been vacated by the tenants, an interim rental agreement will be negotiated and executed by the Public Works Director, subject to approval by the City Attorney as to form, as provided in the proposed Resolution.

Status of properties and easements that must be acquired for the project:

<u>Address</u>	<u>Description</u>	<u>Status May 6, 2008</u>
434 and 436 De La Vina Street	Entire Site	Proposed
136 West Haley Street	Entire Site	Acquired
132 West Haley Street	Temporary Easement	Acquired
119 West Haley Street	Temporary Easement	Acquired
507 Brinkerhoff Avenue	Temporary Easement	Acquired
430 De La Vina Street	Temporary Easements	Pending
512 De La Vina Street	Permanent and Temporary Easements	Pending
208 West Haley Street	Permanent and Temporary Easements	Pending
No address – owners not found	Mission Creek Floodway Purchase	Pending

Efforts are ongoing to obtain signed agreements by the respective owners of those properties and easements still needed for the Project. When such agreements have been obtained, they will be scheduled for review and recommended for approval by Council. The owner of the Mission Creek Floodway was last identified in a document in 1920 and has since not been located. Legal steps will be required to obtain this Floodway property.

In addition to the approval of related agreements, the proposed Resolution will also demonstrate acceptance by Council of the property at 434 and 436 De La Vina Street, and allow recordation of the necessary Grant Deed by the City Clerk.

BUDGET/FINANCIAL INFORMATION:

Caltrans is overseeing the City's steps to purchase all properties and easements required for the Project because 88.53% of the City's eligible project and right of way costs will be reimbursed by the Federal Highway Administration through Caltrans. The City will be responsible for 11.47% of the eligible costs.

The shared acquisition costs relating to the property at 434 and 436 De La Vina Street are outlined as follows:

City @ 11.47%	=	\$94,628
FHWA @ 88.53%	=	\$730,372

There are sufficient City funds in the Streets Fund to cover the City's costs.

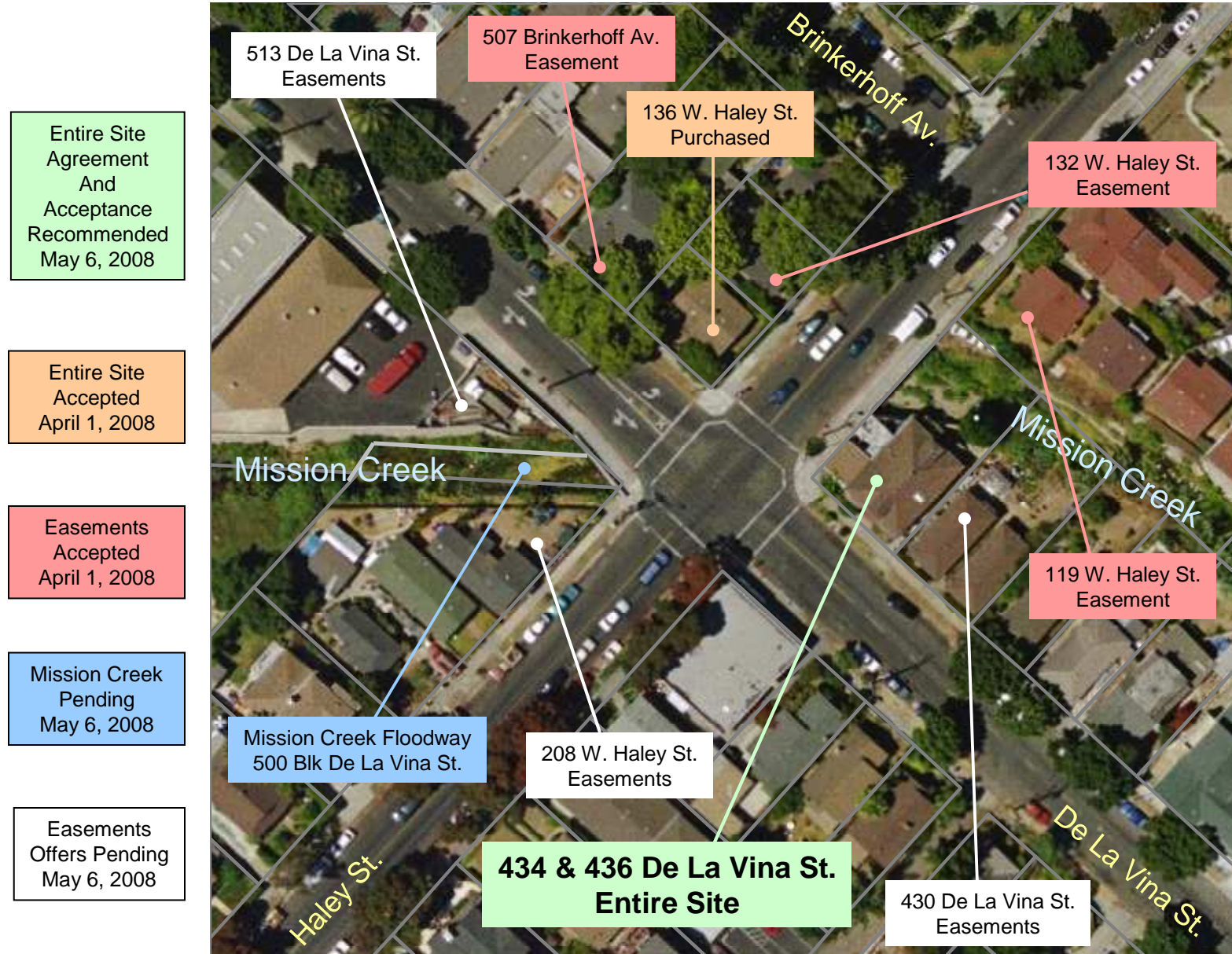
ATTACHMENT(S): Haley De La Vina Bridge Project – Property Locations

PREPARED BY: John Ewasiuk, Principal Civil Engineer/DI/kts

SUBMITTED BY: Paul Casey, Public Works Director

APPROVED BY: City Administrator's Office

ATTACHMENT



Haley/De La Vina Bridge Project - Property Locations